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LEGAL DEPARTMENT

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8 MARKEL AMERICAN INSURANCE COMPANY

9
10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA

12 MARKEL AMERICAN INSURANCE) Case No.: C-07-05749 SC
13 COMPANY,)
14 Plaintiff,) STIPULATION FOR DISMISSAL WITH
15 vs.) PREJUDICE, AND ORDER THEREON
16 PACIFIC ASIAN ENTERPRISES, INC.; a)
17 California corporation; LEVITON)
MANUFACTURING CO., a Delaware)
corporation; HUBBELL INCORPORATED, a)
18 Connecticut corporation; and DOES 1-100,)
inclusive,)
19 Defendants.)

21 Plaintiff Markel American Insurance Company and Defendant Hubbell Incorporated, by
22 and through their attorneys of record, pursuant to FRCP Rule 41(a)(2), hereby stipulate that, and
23 request the court to order that, this action be dismissed, with prejudice, as against defendant
24 Hubbell Incorporated, with each party to bear its own costs, expenses, and attorneys' fees. This
25 dismissal with prejudice was precipitated by a joint expert inspection and investigation,
26 including destructive inspection and investigation, of the electrical components removed from
27

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1 the subject vessel, from which it appears that the subject fire was not caused by a defective GFCI
 2 duplex receptacle manufactured by Hubbell Incorporated.
 3

4 DATED: May 1, 20095 TARKINGTON, O'NEILL, BARRACK & CHONG
A Professional Corporation6 By: Thomas C. Burch7 Thomas C. Burch
8 Attorneys for Plaintiff
9 MARKEL AMERICAN INSURANCE COMPANY10 DATED: April 28, 2009

11 LATHAM & WATKINS LLP

12 By: Ernest Hahn13 Ernest Hahn
14 Attorneys for Defendant
15 HUBBELL INCORPORATED16 ORDER OF DISMISSAL WITH PREJUDICE

17 Pursuant to stipulation of the parties, and good cause appearing therefore, the Court
 18 hereby orders that this action is dismissed, with prejudice, as against defendant Hubbell
 19 Incorporated, with each party to bear its own costs, expenses and attorneys' fees.
 20

21 DATED: 5/1/09